

## REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

March 21, 2005

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, March 21, 2005, at 2:00 p.m., the regular meeting hour, in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Vice-Mayor Beverly T. Fitzpatrick, Jr., presiding, (Mayor Harris arrived late), pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36762-070604 adopted by the Council on Tuesday, July 6, 2004.

PRESENT: Council Members Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff (arrived late), M. Rupert Cutler, Alfred T. Dowe, Jr. (arrived late), and Mayor C. Nelson Harris (arrived late)-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor Fitzpatrick.

The Vice-Mayor declared the existence of a quorum.

## PRESENTATIONS AND ACKNOWLEDGEMENTS:

MISCELLANEOUS-MUNICIPAL BUILDING: Gareth McAllister, Facilities Manager, introduced John T. Fenzel, Caleb P. Hancock, Benjamin A. Knouff and Philip M. Knouff, local students who participated in a "Ecybermission Project" study on the use of copper silver ionization versus chemical biocides in cooling towers, and the City of Roanoke Municipal Building was used as one of the test sites.

Philip Knouff advised that they are a group of home-educated students participating in a web-based science, math and technology competition sponsored by the U. S. Army referred to as Ecybermission; the study was created to encourage students to learn more about the field of engineering and to identify ways to help their communities; and the team chose to study an alternative method of controlling microbiological growth in cooling towers since

most large buildings use external cooling towers as part of their air conditioning systems.

Mr. Knouff referred to the American Legion Conference held in Philadelphia in 1976, where several people contracted an unknown disease called Legionnaires Disease that killed 34 people and caused 221 illnesses, and the disease was traced to a bacteria that grew in cooling towers. He indicated that algae, bacteria and fungus can flourish in open recirculating water systems such as cooling towers, the use of chemicals is a common way to control growth and the chemicals are expensive and dangerous to the environment. He advised that chemicals, which can cost as much as \$1,500.00 per 30 gallon barrel and dangers associated with chemical biocides can cause irritation to the skin, eyes and lungs, nausea and vomiting if inhaled or swallowed; if chemicals are spilled, Hazmat teams may need to be called, which creates problems with regard to transportation and handling; and chemical biocides are dangerous to the environment because cooling towers use the principle of evaporation to remove heat from water, resulting in the remaining water becoming more and more concentrated with minerals called "Total Dissolved Solids" or "TDS" that need to be removed by draining or bleeding water from the cooling tower. He explained that the chemicals are not only dangerous to humans, but toxic to several types of fish; through their research, the teams learned that there is a safer, less expensive way to control microbiological growth; and bacteria cannot survive in the presence of copper or silver at a pH of 8.3 or less; and by using a specially modified low voltage electronic current to ionize small amounts of copper and silver into cooling tower water, microbiological growth can be controlled safely and economically.

Mr. Knouff stated that cooling tower water from four different locations in the Roanoke Valley was sampled and tested for microbiological growth; two of the sites used chemical biocides to treat the water, and the remaining two sites used the copper silver ionization method; and the team found that copper silver ionization did an equal, if not better job of killing growth with less damage to the environment and less expense to the user.

He presented graphs identifying the relationship between colony forming units (CFU's) that were discovered in the cooling towers from the four buildings that were analyzed.

Building D uses chemical biocides and its highest reading was 35,000 CFU's per milliliter because the chemicals were fed through an automatic pump that needed to be reset to supply more chemicals;

Building A, the Roanoke City Municipal Building cooling tower, is controlled by chemical biocides and the maximum number of CFU's per milliliter was 35 because the automatic pump continued to pump chemicals into the tower even though it was not running at full capacity during the months of January and February;

Buildings B and C used copper silver ionization for controlling the CFU's per milliliter indicating that the system is working effectively without the use of chemicals.

Mr. Knouff advised that the highest reading obtained for Building B was 140 CFU's per milliliter, the highest for Building C was 96, and both of the levels are far below the acceptable maximum of 11,000. He noted that Site B, prior to installing the copper silver ionization system three years ago, spent approximately \$19,000.00 a year on chemicals, with an initial cost of \$5,000.00 and \$417.00 for new copper silver bars which must be replaced annually, resulting in a savings of approximately \$18,000.00 per year.

Based on the team's findings, Mr. Knouff advised that there appears to be a better way to control microbiological growth in cooling towers that is less expensive and safer to the environment; and the City of Roanoke could save money, better protect the environment, and become a role model for other communities by switching to a copper silver ionization system.

The City Manager expressed appreciation to the City's Facilities Manager and Building Maintenance Division staff and advised that based upon recommendations and conclusions of the students, immediate improvements will be made to the Municipal Building and to other City buildings as the opportunity presents itself.

Vice-Mayor Fitzpatrick expressed appreciation to the students for sharing the results of the Ecybermission project with the City which could change the way the City manages its facilities, and based upon conclusions, as set in the report, the City could potentially save money when the cooling towers are replaced through routine maintenance over the next several years. He encouraged these students who participated in the study to return to the Roanoke Valley upon graduation from college so that the City will benefit from their knowledge.

(Council Member Dowe entered the meeting.)

#### CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to three requests for Closed Session.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview two applicants for appointment to the Roanoke Regional Airport Commission, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request of the Mayor to convene in a Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purposes, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

OATHS OF OFFICE-ARCHITECTURAL REVIEW BOARD-DISABLED PERSONS-PARKS AND RECREATION-HUMAN DEVELOPMENT-COMMITTEES: A report of qualification of the following persons, was before Council:

Lora J. Katz as a member of the Architectural Review Board, to fill the unexpired term of Robert B. Manetta, resigned, ending October 1, 2006;

Mark S. Lawrence as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2007; and

Carol D. Tuning as a member of the Fifth Planning District Disability Services Board, for a term ending January 31, 2008.

Council Member Dowe moved that the report of qualification be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

## ITEMS RECOMMENDED FOR ACTION:

**TRAFFIC-CITY PROPERTY-PARKING FACILITIES:** The City Manager submitted a communication advising that Council adopted Resolution No. 35794-040102 on April 1, 2002, to provide residents within the Downtown Service District with free parking in certain City-owned or City-controlled parking garages for three years, and 15 downtown residents currently utilize the program; and inasmuch as adequate parking in the downtown area remains critical to the success of Roanoke's goal of encouraging downtown housing, the program should be reestablished for three years, commencing April 1, 2005, and ending March 31, 2008.

It was further advised that one new provision has been added to the proposed program, which would allow the residents of downtown housing units that are physically connected to a City-owned or City-controlled parking garage to park in spaces reserved for their use; and such physical connections must be approved by the City.

The City Manager recommended that Council adopt a resolution approving and reestablishing the above referenced program, as amended, to provide residents within the Downtown Service District with free parking in certain City-owned or City-controlled parking garages, effective April 1, 2005 through March 31, 2008, unless modified or terminated by the Council; and further authorize the City Manager to take such actions as deemed necessary to implement and administer the program.

Council Member Cutler offered the following resolution:

(#36992-032105) A RESOLUTION continuing a program providing for free parking for certain downtown residents in certain City owned or controlled parking garages, as recommended by the City Manager.

(For full text of resolution, see Resolution Book No. 69, Page 316.)

Council Member Cutler moved the adoption of Resolution No. 36992-032105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

**POLICE DEPARTMENT-BUDGET:** The City Manager submitted a communication advising that the Office for Domestic Preparedness, under the U. S. Department of Homeland Security (DHS), has awarded the City of Roanoke \$65,000.00 from the Local Interoperable Communication Grant; DHS offers funds to successful applicants for activities which improve interoperable radio communications in Virginia; the City of Roanoke has been awarded grant funds in order to equip the Roanoke Police Department Mobile Command Center with an interoperable radio infrastructure and eight radios; upon installation, the radios will be used to communicate over any radio frequency currently used by any public safety agency throughout the Commonwealth of Virginia; and the infrastructure and radio units may be used by analog or digital radio technology.

The City Manager recommended that Council accept the DHS Local Interoperability Communications Grant; authorize the City Manager to execute the grant agreements and any related documents, subject to approval as to form by the City Attorney; and appropriate funds totaling \$65,000.00 and corresponding revenue estimates in accounts to be established by the Director of Finance.

Council Member McDaniel offered the following budget ordinance:

(#36993-032105) AN ORDINANCE to appropriate funding for the Interoperability Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 316.)

Council Member McDaniel moved the adoption of Ordinance No. 36993-032105. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

Council Member Dowe offered the following resolution:

(#36994-032105) A RESOLUTION authorizing the acceptance of the U. S. Department of Homeland Security Local Interoperability Communications Grant made to the City of Roanoke by the Office for Domestic Preparedness and authorizing the execution and filing by the City Manager of the conditions of the grant.

(For full text of resolution, see Resolution Book No. 69, Page 317.)

Council Member Dowe moved the adoption of Resolution No. 36994-032105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Council Member Wishneff and Mayor Harris were not present when the vote was recorded.)

(Mayor Harris and Council Member Wishneff entered the meeting.)

ROANOKE VALLEY RESOURCE AUTHORITY: The City Manager submitted a communication advising that the City of Roanoke coordinated several annual Household Hazardous Waste Collection Days in the Roanoke Valley from 2000 to 2003 at the Roanoke Civic Center; during each event, a private contractor accepted household hazardous waste from citizens and properly disposed of the waste, preventing waste items from being placed in the Smith Gap Landfill or being disposed of improperly; the Counties of Roanoke and Botetourt, the Town of Vinton and the City of Salem have participated in previous events; in response to citizen feedback, participating staff from the City and neighboring governments have decided to alter the operation of the 2005 collection event from one annual event servicing 1,000 - 1,200 participants to three events per year servicing approximately 300 participants per event; and each participant would be required to pre-register, with the actual event being held on a Sunday.

It was further advised that due to the reduced number of participants per event, it was decided that smaller collection events could be held at the Roanoke Valley Resource Authority Transfer Station which is located on Hollins Road instead of at the Roanoke Civic Center; in order to use Resource Authority property, the Roanoke Valley Resource Authority Members Use Agreement must be amended to specifically allow the Authority to sponsor, or to issue a permit to an entity to sponsor, a Household Hazardous Waste Collection Day at the Hollins Road facility, which would allow household hazardous waste to be accepted, but not stored or disposed of on the site by a contractor, and would



further allow residents of the City of Salem, Botetourt County, and other jurisdictions to participate; and since the above referenced localities and other localities are not members of the Roanoke Valley Resource Authority, special permission from Charter Members is required to accept waste at the site.

It was explained that Roanoke County and the Town of Vinton have approved the proposed amendment and it is anticipated that the Resource Authority will agree to the amendment; the City's Planning Department has determined that the City's operating criteria for the Transfer Station will allow for acceptance of the waste and Sunday hours of operation; and amendment to the Members Use Agreement will have no fiscal impact since the City of Roanoke has budgeted for household hazardous waste collection events within the VPDES Storm Water Quality Account No. 008-530-9736.

The City Manager recommended that Council approve a fourth amendment to the Roanoke Valley Resource Authority Members Use Agreement, authorize the City Manager to execute the amendment, and to execute additional documents as may be deemed necessary to implement and administer the Amendment, subject to approval as to form by the City Attorney.

Council Member Cutler offered the following resolution:

(#36995-032105) A RESOLUTION authorizing a Fourth Amendment to the Roanoke Valley Resource Authority Members Use Agreement.

(For full text of resolution, see Resolution Book No. 69, Page 318.)

Council Member Cutler moved the adoption of Resolution No. 36995-032105. The motion was seconded by Council Member Dowe.

Dr. Cutler inquired if a date has been established for the event; whereupon, the City Manager advised that although no date has been set, the event is typically held during the month of April.

In response to Vice-Mayor Fitzpatrick's question as to whether the event will be held on a quarterly basis, the City Manager responded that the intent is to provide multiple opportunities in early spring, summer and fall.

Council Member McDaniel questioned if each participant would be required to pre-register and why the event is being held on a Sunday as opposed to a Saturday; whereupon, the Assistant City Manager for Operations advised that regular collection at the Hollins Road transfer station occurs on Saturdays from 8:00 a.m. to 1:00 p.m., therefore, setup time for the event in the recycling area of the transfer station is not adequate; and pre-registration will help the process to move more efficiently.

The City Manager added that the event will become a regional activity; the City of Roanoke started Hazardous Household Waste Collection Day several years ago in response to and as a part of the settlement in the hazardous material claim relative to the Public Works Service Center; it was recognized that not only did Roanoke City residents participate in the event, but residents from surrounding jurisdictions as well; staff has addressed the issues of additional participation and financial resources from other jurisdictions; it is believed that the event is geared more toward a Resource Authority activity than strictly a City of Roanoke activity; if it is found that three events per year with 300 participants as a limit is not sufficient, additional opportunities for registration will be considered; and since the City is moving toward holding the event three times a year and at a different location, it will be necessary to evaluate the event prior to committing to a regional activity, as opposed to a City of Roanoke activity.

There being no further discussion, Resolution No. 36995-032105 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

At this point, the Vice-Mayor relinquished the Chair to the Mayor.

CITY ATTORNEY: NONE.

DIRECTOR OF FINANCE: NONE.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

AIRPORT: Council Member Dowe offered the following resolution expressing the Council's opposition to a proposal by the FAA to close the Air Traffic Control Tower located at the Roanoke Regional Airport between the hours of midnight and 5:00 a.m.:

(#36996-032105) A RESOLUTION expressing the Council's opposition to a proposal by the FAA to close the Air Traffic Control Tower located at Roanoke Regional Airport between the hours of midnight and 5:00 a.m.

(For full text of resolution, see Resolution Book No. 69, Page 319.)

Council Member Dowe moved the adoption of Resolution No. 36996-032105. The motion was seconded by Vice-Mayor Fitzpatrick.

Council Member McDaniel emphasized the importance of maintaining 24-hour coverage of the Airport Control Tower.

Vice-Mayor Fitzpatrick suggested that a communication be forwarded to surrounding counties, cities and towns served by the Roanoke Regional Airport to encourage adoption of a similar measure.

Council Member Cutler called attention to outdated technology in the Roanoke FAA Control Tower, and advised that the City should focus not only on the hours of operation, but on the level of technology as well.

There being no further discussion/comments by the Council, Resolution No. 36996-032105 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

#### MOTIONS AND MISCELLANEOUS BUSINESS:

#### INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

NATIONAL LEAGUE OF CITIES: Council Member Cutler advised that he represented the City of Roanoke at the Mid-Winter Meeting of the National League of Cities which was held on March 11 - 15, 2005, in Washington, D. C.

He advised that he also represented the City on the National League of Cities Environment, Energy and Natural Resources Policy and Advocacy Steering Committee; and he visited with Federal and State officials at which time he delivered a communication that was prepared by the City administration addressing National League of Cities Priority Federal concerns using City of Roanoke examples. He stated that the 2006 Federal budget is tight due to the situation in Iraq and Afghanistan, Homeland Security, interest on debt, tax reductions, Medicare/Medicaid, and Social Security, all of which have been given priority preference over Discretionary Domestic programs, including grants to cities. He added that the Virginia Delegation is supportive of the City's position on the various issues.

SIDEWALK/CURB AND GUTTER-STREETS AND ALLEYS: Council Member Dowe requested information on the paving schedule for Densmore Drive, N. W., and the status of installation of sidewalk on 20<sup>th</sup> Street and Mercer Avenue, N. W.

**CITY COUNCIL-SPECIAL EVENTS:** The Mayor called attention to the St. Patrick's Day Parade and Celtic Festival which was held on Saturday, March 18, 2005, in downtown Roanoke, and expressed appreciation to the Members of Council for their participation. He commended EventZone and others who were responsible for coordinating the festivities.

**ARTS MUSEUM OF WESTERN VIRGINIA:** The Mayor called attention to the public unveiling of plans for the new Art Museum of Western Virginia in downtown Roanoke on March 21, 2005, at 1:30 p.m., which will be an outstanding cultural initiative for the City of Roanoke. He expressed appreciation to the Board of Directors and to the Executive Director of the Art Museum for their leadership.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

**ARMORY/STADIUM:** Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of the renovation of Victory Stadium. He called attention to photographs of Victory Stadium before and after flooding occurred, and stated that maintenance of Victory Stadium should be under the purview of the City's Parks and Recreation Department instead of the Civic Center. He expressed concern that the contract entered into between the City of Roanoke and N & W Railway has not been honored, terms of the agreement require the City to maintain the Stadium, the land on which the Stadium was built can only be used for a stadium, pursuant to Resolution No. 6889 adopted in 1941, and if the City does not comply with the agreement, the property will revert to the Railroad. He stated that the citizens of Roanoke should have a voice in the decisions that affect the City, and Victory Stadium should be renovated as a memorial to local veterans who fought for their country.

**SOLICITATION:** Mr. Tony Hairston, 1263 Tayloe Avenue, S. E., spoke with regard to homosexuality. He called attention to an Internet document denouncing the right of gay couples to adopt children, and stated that to allow a child to be adopted by persons living in a homosexual union would not be a healthy environment. He expressed concern that America has become a nation with a concentration on money instead of family values; any law that gives a man or a woman the right to marry another man or woman is an unjustified law, and if America allows this behavior to continue, it then becomes a passive society. He asked if America is a nation of homosexuals and abortionists, or is America the land of the free man?

## CITY MANAGER COMMENTS:

CITY COUNCIL-ARTS MUSEUM OF WESTERN VIRGINIA: The City Manager spoke with regard to the public unveiling of plans for the new Art Museum in downtown Roanoke earlier in the day, and commended the Mayor on the manner in which he represented the City of Roanoke.

At 2:50 p.m., the Mayor declared the Council meeting in recess for a Closed Meeting.

At 5:00 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Dowe moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-SCHOOLS: Vice-Mayor Fitzpatrick moved that Council hold a public hearing at a future Council meeting to receive the views of citizens on the appointment of David B. Carson and William H. Lindsey as Trustees to the Roanoke City School Board, for terms of office commencing July 1, 2005 and ending June 30, 2008. The motion was seconded by Council Member Cutler and unanimously adopted.

At 5:05 p.m., the Mayor declared the Council meeting in recess to be reconvened at 7:00 p.m., in the Council Chamber.

At 7:00 p.m., on Monday, March 21, 2005, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney, Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Alfred T. Dowe.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

#### PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, March 21, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Westwin of Roanoke, LLC, that a tract of land located at the southwesterly corner of Jefferson Street and Yellow Mountain Road, S. E., designated as Official Tax No. 4060601, be rezoned from Conditional C-1, Office District, to INPUD, Institutional Planned Unit Development District, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, March 4, 2005 and Friday, March 11, 2005.

The City Planning Commission submitted a written report advising that the petitioner proposes to rezone Official Tax No. 4060601 to develop a 42-unit condominium development with two levels of parking; current uses of the property include an off-site surface parking lot for Carilion Health Systems and an unoccupied dwelling; and a Second Amended Petition was filed on March 1, 2005, to reflect changes to the development plan as presented at the Planning Commission meeting on February 17, 2005.

It was further advised that the proposed development is consistent with the following actions and statements of Vision 2001-2020, the City's Comprehensive Plan:

- Higher density residential development should be concentrated within and immediately adjacent to village centers.
- Building location and design should be considered as important elements of the streetscape and should be used to define the street corridor as a public place.
- Building height and location should create a feeling of enclosure along a street. Residential and commercial buildings should be located close to streets with low vehicle speeds.

- Visual clutter and excessive lighting should be discouraged. Signs should be consolidated and attractively designed.

It was noted that the housing section of the *South Roanoke Neighborhood Plan* which was completed in 1988, contains the following statements:

“Residents indicated that single-family houses are needed in the neighborhood and the existing homes should be preserved as single-family structures... to encourage home-ownership for new families.

Housing for elderly residents is also needed to provide for those wishing to remain or retire in South Roanoke. Apartments and condominiums were identified as important in fulfilling this need.

The design of new residential construction was identified as a concern. New construction should be compatible with the existing residences and complement neighborhood character.”

It was stated that the proposed development provides the following:

Multifamily and condominium opportunities without converting existing single-family structures;

The design is compatible with existing residences and will complement neighborhood character;

The neighborhood plan further notes that parking was an issue with expansion of medical-related facilities in residential areas;

All of the new residential units will have structured on-site parking; and

Even though the development will occupy what is now a commercial parking lot, it will not displace existing parking supply.

The City Planning Commission recommended approval of the request for rezoning, and noted that the petition satisfies application requirements for the district, promotes design principles of Vision 2001-2020, and is consistent with the *South Roanoke Neighborhood Plan*.

Council Member Dowe offered the following ordinance:

(#36997-032105) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 406, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 321.)

Council Member Dowe moved the adoption of Ordinance No. 36997-032105. The motion was seconded by Vice-Mayor Fitzpatrick.

David C. Helscher, Attorney, representing the petitioner, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to speak in connection with the request for rezoning.

Dr. Harry Yates, 2208 South Jefferson Street, advised that his residence is located across the street from the proposed condominiums, and although he is not opposed to construction of the condominiums, he requested that further consideration be given to the massive traffic rerouting that will be required. He called attention to at least 100 additional vehicle spaces to be accommodated in a parking garage under the proposed condominiums which will empty onto Jefferson Street, from the east side, and suggested further investigation of the traffic impact on vehicles traveling from North Jefferson Street, right on McClanahan Street, left on Crystal Spring Avenue to 22<sup>nd</sup> Street and Richlieu Avenue, and another left to get back on Jefferson Street. He added that on Jefferson Street, the motorist must cross traffic lanes from north to south in order to come around the median bar in the middle of the street to enter the parking lot. He noted that a traffic count was requested at the City Planning Commission hearing, but was not honored due to low traffic volume, and information with regard to maintenance, insurance and safety issues regarding the parking garage has not been disclosed.

Mr. Helscher responded that the issues raised by Mr. Yates were thoroughly studied, and the petitioner appeared before the City Planning Commission on two occasions because some of the issues required additional study. He explained that the parking lot on the site is currently used by Carilion employees, and his client intends to accommodate parking for those employees who will be displaced by providing a level of parking in the parking garage that will be owned by Carilion. He advised that traffic issues were studied, the City's Traffic Engineer suggested a right turn in and right turn out and the Planning Department determined that the traffic volume would not be a strain on existing facilities. He pointed out that the petitioner has the support of the South Roanoke Neighborhood Association which is of the opinion that the proposed development will be an asset to the neighborhood.



Council Member Wishneff requested that staff address traffic and parking issues; whereupon, R. Brian Townsend, Director, Planning, Community and Code Enforcement, advised that the parking lot is accessible off Yellow Mountain Road, and parking will be provided in a parking garage, with the Carilion entrance on Jefferson Street. He further advised that a review by the Planning Department and the City's Traffic Engineer did not indicate an adverse impact on having the same number of cars accessing the site from the other side of the block. In addition, he stated that net new traffic to be generated by the site did not justify the need for the developer to prepare a traffic study.

Vice-Mayor Fitzpatrick inquired if assurances were made that there would be no change in the plan in terms of height; whereupon, Mr. Townsend advised that the requested zoning is INPUD, Institutional Planned Unit Development District, that binds the developer to the plan as submitted in the Second Amended Petition for rezoning, which includes both the layout and the relative height to the site, topography changes from the Jefferson Street side up to Yellow Mountain Road, and there is a height limitation of 45 feet in the INPUD District.

Mr. Townsend advised that in order to address the issue of access during the morning peak traffic timeframe, the parking garage will be card-controlled. Because of a concern with regard to left turns from north bound Jefferson Street into the parking garage, he stated that the City's Traffic Engineer has suggested a right in/right out strategy.

There being no further speakers, the Mayor declared the public hearing closed.

There being no further questions or comments by Council Members, Ordinance No. 36997-032105 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, March 21, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that a tract of land located at 3379 Colonial Avenue, S. W., consisting of 23.742 acres, more or less, identified as Official Tax No. 1570101, be rezoned from RS-2, Residential Single Family District, to RPUD, Residential Planned Unit Development District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, March 4, 2005 and Friday, March 11, 2005.

The City Planning Commission submitted a written report advising that on December 20, 2004, Council adopted a resolution authorizing the City Manager to file a petition to rezone 23.742 acres, more or less, of City-owned property located on Colonial Avenue, S. W., from RS-2, Single Family Residential District, to RPUD, Residential Planned Unit Development District, subject to the following proffered condition:

That development of the RPUD District will be governed by the Development Pattern Book, Colonial Green, dated November 1, 2004.

It was noted that a public hearing was held by the Planning Commission on January 20, 2005, at which time the matter was continued until February 17, 2005; and at the Planning Commission's Work Session on February 3, 2005, alternative design concepts addressing comments from the January 20, 2005 public hearing were reviewed and discussed relative to the following:

- The design and layout of the commercial/live-work area along the Colonial Avenue frontage.
- The design and layout of proposed crescent homes and a multifamily structure on the western edge of the site adjacent to the City-County boundary line.
- The provision of pathways and connections of the development to its surroundings.
- The preservation of existing significant vegetation and the overall resulting tree canopy on the development at build-out.

It was further advised that Colonial Green is a mixed use development comprised of approximately 230 dwelling units, with the potential of 14,000 square feet of commercial space; the proposed housing mix includes approximately 28 single-family detached dwellings, 60 townhouse units, and 130 multifamily units; and commercial space would be limited to the commercial/residential building located in proximity to the Colonial Avenue frontage.

It was noted that the proposed development is consistent with policies and actions of *Vision 2001-2020*, the City's Comprehensive Plan; and the Franklin Road/Colonial Avenue Area Plan that was adopted by Council on June 21, 2004 states the following as it relates to the petition for rezoning:

- This property (Colonial Green) is suited for mixed-density residential development as well as limited commercial development.
- The Future Land Use Plan designation is mixed residential.

It was further noted that the proposed development satisfies general standards and development requirements of Section 36.1-293; as a Residential Planned Unit Development, the site must be developed in substantial conformity to the development plan; significant improvements have been made to parking associated with the proposed mixed use buildings along Colonial Avenue which will result in commercial/live-work buildings taking a prominent position in relation to the streets and on-site parking being located to the side and rear of the building; and while a storm water management facility prohibits locating the mixed use buildings immediately abutting the Colonial Avenue right-of-way line similar to the adjacent medical clinic building, reorientation of the buildings and elimination of front parking spaces will create a more consistent streetscape.

The City Planning Commission recommended that Council approve the amended petition for rezoning which includes the following:

- Proffer of a revised Colonial Green Development Pattern Book dated February 17, 2005,
- Revised RPUD Development Plan dated February 17, 2005, and
- An additional proffer stating:

A minimum tree canopy ratio of 15% of the total RPUD district will be provided at completion of the project to be comprised of existing tree canopy preserved on the site and new tree plantings (based on canopy at 20 year maturity).

Council Member Dowe offered the following ordinance:

(#36998-032105) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 157, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 323.)

Council Member Dowe moved the adoption of Ordinance No. 36998-032105. The motion was seconded by Council Member McDaniel.

The Mayor inquired if there were persons present who would like to speak in connection with the request for rezoning.

Joyce Graham, Co-partner, Colonial Partners, spoke in support of the request for rezoning. She called upon David Hill, Project Manager, Hill Studios, to respond to questions with regard to the project.

Mr. Hill advised that representatives of Colonial Green have held several meetings with the City Planning Commission and residents of the area; whereupon, he highlighted certain issues that were addressed; i.e.:

A concern that the multi-use property be changed from a more suburban to a more neighborhood commercial format. It presently consists of a cluster of buildings that will serve both neighborhoods and act as a neighborhood commercial area.

Better formatting of condominium buildings relative to both shape of the building and location. Colonial Green has worked with residents of the area, the Planning Commission and City staff to get the optimal location for the buildings on the west boundary.

The proximity of houses to the north boundary of the property along Sedgefield Road in Roanoke County. Colonial Green has changed the format of the plan so that no single house is closer than 135 feet from the property line on the north boundary.

Concern with regard to the loss of tree canopy from the top of the hill. Colonial Green has created about a two-acre space at the top of the hill to preserve mature oak trees that help to buffer Sedgefield Road.

Concern about trails and connectivity. Colonial Green has proposed trails that will extend throughout the community that will connect to the local and regional greenway network.

Ms. Ruth Willson, 2651 Creston Avenue, S. W., expressed appreciation to Colonial Green representatives and to City staff for addressing various concerns that were raised by the neighborhood. She asked that as many trees as possible remain in place to decrease the visibility of the Western Virginia Water Authority water tanks. She expressed concern with regard to the working relationship with any successors to the Colonial Green project and inquired if a contractual agreement identifying terms and conditions related to the property would be executed inasmuch as the rezoning involves a three-phase project.

Mr. Reggie Wood, 3331 Colonial Avenue, S. W., advised that the size of Colonial Avenue has not changed over several years, but the entire fabric of the community has been destroyed due to "cookie cutter" type developments along Route 221. He suggested that a comprehensive study with regard to the future of Colonial Avenue be prepared before the City approves the construction of Colonial Green.

Mr. Bill Modica, 331 King George Avenue, S. W., expressed concern that more developers are not willing to make an effort to satisfy the interests and desires of residents, whereupon, he expressed appreciation to the Colonial Green development team and the City's Planning staff for the manner in which they worked with the neighborhood. He also commended the walking trails, preserved woodlands, scenic grounds, and well designed housing units that will be a part of the project which will provide housing choices that will attract new residents to the area from regions that do not offer the same advanced and friendly culture as Roanoke. He encouraged Council to approve the request for rezoning.

Vice-Mayor Fitzpatrick advised that the development represents a most unusual opportunity for the City of Roanoke, and the developer has spent an extraordinary amount of time meeting with residents of the City and the County to address their concerns.

Council Member Lea stated that he was pleased with the amount of citizen involvement in the Colonial Green project, and requested a response by City staff with regard to Ms. Willson's concern as to a contractual obligation with any successors to the Colonial Green project.

Mr. Townsend advised that circumstances surrounding the request for rezoning are unique since the City is both the property owner and the petitioner. He called attention to a development agreement between the City and Colonial Green which will be modified since the plan referenced in the original agreement has been modified; and since the rezoning is intended for residential planned unit development, approval of the rezoning will run with the land, therefore, any future owner(s) of any phase of the project will be obligated to follow the same plan.

There being no further speakers, the Mayor declared the public hearing closed.

There being no further questions or comments by Council Members, Ordinance No. 36998-032105 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

CITY PROPERTY-LEASES: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, March 21, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposal of the City of Roanoke to extend the lease of a City-owned structure known as the Alexander-Gish House located in Highland Park, with the outbuilding and parking lot to Old Southwest, Inc., for a period of five years, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, March 4, 2005.

The City Manager submitted a communication advising that the original lease of the Alexander-Gish House located at 641 Walnut Avenue, S. W., by the Old Southwest Neighborhood Alliance was authorized by Ordinance No. 24929 on December 10, 1979; on May 11, 1981, the City Manager executed a lease assignment transferring the lease to Old Southwest Neighborhood Foundation, Inc.; Old Southwest, Inc., has leased the location since December 10, 1979; and the current lease agreement expired on December 31, 2004.

It was further advised that Old Southwest, Inc., has requested an extension of the current lease agreement with similar terms and conditions; the previous lease contained a five year term, at an annual lease rate of \$1.00; the proposed extension agreement is for an additional five year period, beginning January 1, 2005 through December 31, 2009, at an annual lease rate of \$1.00; and the extension agreement may be further extended for an additional five-year term on the same terms, upon mutual agreement of both parties.

The City Manager recommended that she be authorized to execute a lease extension agreement with Old Southwest, Inc., for the Alexander-Gish House, 641 Walnut Avenue, S. W., for a period of five years, commencing January 1, 2005 and ending December 31, 2009, with an option for an additional five-year term if agreed to by both parties.

Council Member Dowe offered the following ordinance:

(#36999-032105) AN ORDINANCE authorizing the proper City officials to extend the lease agreement between the City and Old Southwest, Inc., for a period of five years, with an option to extend the lease for an additional five year term upon mutual agreement of both parties, for the use of a certain City-owned structure known as the Alexander-Gish House, located in Highland Park, together with the outbuilding and parking lot, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 324.)

Council Member Dowe moved the adoption of Ordinance No. 36999-032105. The motion was seconded by Vice-Mayor Fitzpatrick.

The Mayor inquired if there were persons present who would like to speak in connection with the matter. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 36999-032105 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, March 21, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposed amendment of Section 36.1-690, General authority and procedure, Division 5, Amendments, of Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, by deleting subsections (g) and (h) relating to minimum acreage requirements, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, March 4, 2005, and Friday, March 11, 2005.

The City Planning Commission submitted a communication advising that Section 36.1-690 of the City of Roanoke Zoning Ordinance includes two subsections that establish a minimum area that can be rezoned to certain commercial and industrial districts:

(g) Except for extension of existing district boundaries, no change in zoning classification to a C-1, C-2, C-3, LM or HM district shall be considered which involves an area of less than two (2) acres, and no separate C-1, C-2, C-3, LM or HM district of less than two (2) acres shall be created by any amendment to this chapter.

(h) Subsection (g) notwithstanding, an area of less than two (2) acres, which abuts a C-2, CN, or an industrial district, may be rezoned to C-1.

The proposed amendment to delete subsections (g) and (h) was initiated by motion of the Planning Commission at its January 20, 2005, meeting.

The City Planning Commission recommended that Council approve the requested amendment to the Zoning Ordinance to delete subsections (g) and (h) of Section 36.1-690. The Planning Commission advised that rezoning decisions should be based on context and merits of the change, as well as the extent to which the change is consistent with the Comprehensive Plan.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37000-032105) AN ORDINANCE amending and reordaining §36.1-690, General authority and procedure, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, by deleting subsections (g) and (h) of §36.1-690, General authority and procedure, to provide for greater flexibility in considering certain rezonings in which a minimum area can be rezoned to certain commercial and industrial districts, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 325.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37000-032105. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to speak in connection with the proposed amendment.

Donald Wetherington, Attorney, 5 South Roanoke Street, Fincastle, Virginia, advised that the two-acre minimum requirement may have made sense when there were cow pastures within the boundaries of the City of Roanoke, but with the current density of the urban area and a mixture of compatible uses, not necessarily within the same zoning classifications, the two-acre requirement has become a relic. He stated that the City of Roanoke has a well-qualified and responsive City Planning staff with good land use tools at their disposal and encouraged the Members of Council to remove the two acre requirement and rely solely on the expertise of Planning staff.

There being no further speakers, the Mayor declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37000-032105 was adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe and Mayor Harris-----7.

NAYS: None-----0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

SCHOOLS: The following persons spoke with regard to the Blue Ridge Technical Academy:



Ms. Karen W. Meiss, 1019 Welton Avenue, S. W., advised that Blue Ridge Technical Academy is a unique program that offers training in technology and medical fields, allowing students to receive dual enrollment, credits, certifications, and internships that would not be available in a public high school, and BRTA is the first Charter School in the Commonwealth of Virginia that has exceeded its goal by educating students in various fields of their choice. She stated that operating costs for BRTA are not included in the fiscal year 2005-2006 School budget, and the School Board plans to close the Academy and return students to their home schools. She encouraged the Council and the School Board to include funds in the 2005-2006 school budget to continue the program.

Ms. Phyllis Brennan, 4156 Hershberger Road, N. W., called attention to increasing enrollment at Blue Ridge Technical Academy where students are given an opportunity to succeed with the support of the City and the School system.

Ms. Sharon Yanosky, 316 Howard Road, Salem, Virginia, expressed appreciation to Council for listening to parents of students who attend Blue Ridge Technical Academy, and requested that the program remain intact. She referred to an article in *The Roanoke Times* in which the incoming Roanoke City School Superintendent, Marvin Thompson, stated his vision for the future of Roanoke City Schools which was a description of courses offered at Blue Ridge Technical Academy. She stated that Blue Ridge Technical Academy provides a refuge where students can focus on two career paths -- Information Technology and Medical Science -- in a safe environment with dedicated staff, and urged the Members of Council to support continuation of the Academy.

Mr. Jerome Nance, 4224 Tennessee Avenue, N. W., advised that he was previously in the 11<sup>th</sup> grade at William Fleming High School where class sizes consisted of as many as 30 students per room, but due to the smaller class size at Blue Ridge Technical Academy, students learn in an environment where teachers and students have become a family. He asked that the programs offered by BRTA be continued.

Ms. Shannon Allen, 2625 Broad Street, N. W., a freshman at Blue Ridge Technical Academy, advised that the program has provided inspiration to her life. She asked that funds be included in next year's budget to continue operation of BRTA.

Ms. Monica McWarren, 1652 Garstland Drive, N. W., advised that her siblings both attended Blue Ridge Technical Academy in their sophomore years where they received an outstanding educational experience. She called attention to a smaller teacher/student ratio

than in the traditional school classroom where students are provided with a greater opportunity to learn. On behalf of students, faculty and parents, she urged that Council work with the Roanoke City School Board to find the necessary funds to continue operation of BRTA.

Ms. Patricia Chambers, 3425 Pittsfield Avenue, N. W., a freshman at Blue Ridge Technical Academy, advised that BRTA is a model school and an asset to the community. She asked that funds be included in the School Board's budget to continue operation of the Academy.

Ms. Alita D. Ashe, 5784 Littleton Road, Roanoke County, advised that many students who attended William Fleming and Patrick Henry High Schools have succeeded in the traditional classroom setting, but those students who attend Blue Ridge Technical Academy have been given the extra level of attention that they need to be successful. She added that a representative of the Thomas Jefferson Institute toured the facility and was impressed with the level of student-teacher engagement and the conduct of students.

Courtney A. Penn, Member, Roanoke City School Board, expressed appreciation to those students from BRTA who articulated their positions and sentiments with regard to the Academy. He advised that the School Board considers the issue to be a top priority and will continue to assess various opportunities and/or options.

Council Member Wishneff advised that the location of the Blue Ridge Technical Academy is significant and encouraged citizens to attend School Board meetings to express their concerns.

The Mayor advised that the School Board is in the process of determining the direction for Blue Ridge Technical Academy and will discuss the matter with the new Superintendent of Schools and other interested individuals.

Without objection by Council, the Mayor advised that all remarks would be received and filed.

**ANIMALS/INSECTS-FIREARMS:** Mr. Joe Schupp, 2323 South Jefferson Street, former member of the Wildlife Taskforce, spoke with regard to the City's ongoing deer culling operation that will conclude at the end of March. He advised that \$80,000.00 is a large sum of taxpayer's money to be given to White Buffalo Inc., to remove deer; and total deer removal for 2003-2004 from July 1, 2003 to March 27, 2004 was 819, with 561 deer removed by sharp shooters, 213 removed by bow hunters (landowners with deer kill permits and the Urban Archery Program combined), and 63 removed through deer kill permits using shot guns. He stated that if the deer culling operation is deemed too costly and/or ineffective, he would urge Council to implement the sharp

shooting and Urban Archery Program, which must be approved by the Department of Game and Inland Fisheries by May 1, 2005 for implementation during the 2005-2006 season. He offered his services to oversee operation and implementation of Roanoke's Urban Archery Program.

COMPLAINTS-DRUGS/SUBSTANCE ABUSE: Ms. Oglivier Quarles, 2205 Montauk Road N. W., a member of the Northwest Concerned Citizens Organization, expressed concern with regard to the methadone clinic located at 3208 Hershberger Road, N. W. She stated that Federal guidelines require that the methadone clinic hold open meetings in the community, but instead representatives of the facility elected to meet with a small group of persons who may, or may not, be residents of the immediate area; the neighborhood group has been portrayed as being unkind and uncaring in its attitude toward drug addicts, which is not an accurate portrayal of residents; and since the methadone clinic opened, police officers have responded to approximately eight calls, and emergency medical services was contacted on at least three occasions. She emphasized that the neighborhood organization is motivated by a desire to make a difference in the community, to work toward a safe environment for children and senior citizens, and to identify alternative activities to drug and alcohol use.

CITY EMPLOYEES-ART MUSEUM OF WESTERN VIRGINIA-COMPLAINTS-PAY PLAN-TAXES: Mr. Robert Gravely, 727 29<sup>th</sup> Street, N. W., expressed concern with regard to the City's participation in a regional jail, additional funds for the Art Museum in downtown Roanoke, the use of taxpayers' money to advertise the City's new branding logo, and the City's workforce is undermanned, with inadequate training and an inadequate pay scale.

ARMORY/STADIUM: Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of the renovation of Victory Stadium, which can be used for such activities as the annual Easter Egg Hunt, and the American Cancer Society Relay for Life, etc. He called attention to overwhelming support by 7,000 persons who signed a petition in favor of the renovation of Victory Stadium in which they called for a referendum so that citizens could vote on the fate of the Stadium. He stated that funds that were previously identified for Victory Stadium have been used for other purposes and the proposed floodwall has not been constructed.

There being no further business, the Mayor declared the meeting adjourned at 8:45 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker  
City Clerk

C. Nelson Harris  
Mayor

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